

Christmann, Randel D.

From: Bob & Amy Ferebee <ferebee@ndsupernet.com>
Sent: Friday, September 04, 2015 9:08 AM
To: -Info-Public Service Commission; Kalk, Brian P.; Christmann, Randel D.
Subject: eminent domain
Attachments: Scan0035.pdf

Dear Commissioners,

This letter that Dakota Access will be filing eminent domain is very disturbing. At the hearing in Killdeer they said that their agents never mentioned eminent domain and they would work with all the landowners. Dakota Access has not contacted me since the hearing in Killdeer and with the promise in this letter that they would contact me in a week is not true also. We here in North Dakota can NOT do deals on a handshake like we used to, especially when companies such as these do not even do what they promise at public hearings and what they send to people in writing.

Appreciate your support on this and hope you can make this company do what they promise.

Robert Ferebee
8447 2nd St SW
Halliday, ND 58636
701-260-4772

August 28th, 2015

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
RETURN MAIL RECEIPT NUMBER: 7015 0640 0005 0212 6331

Robert Ferebee
8447 2nd Street Southwest
Halliday, ND 58636

Re: Dakota Access Pipeline
Tract No. ND-DU-071.000

Dear Robert Ferebee:

As you are aware, Dakota Access, LLC ("Dakota Access") and its agents have been working with you to acquire a right-of-way easement across property that you own an interest in for the proposed Dakota Access Pipeline. The property at issue is identified as follows:

NW¼, W½SW¼, W½E½, all in Section 14, Township 145 North, Range 92 West, Dunn County, North Dakota, more particular described in that Trustees' Deed dated December 22, 1992 from Liberty National Bank and Trust Company and Clifford B. Ferebee as Co-Trustees of the George B. Ferebee Residuary Trust, to Robert Ferebee, recorded as Document Number 183770 in the Office of the Recorder, Dunn County, North Dakota, less and except any conveyances heretofore made.

In the past several months, Right-of-Way Agents representing Dakota Access have contacted you to discuss the purpose and necessity of the easement. The Agents have also identified the proposed location of the pipeline easement, access easement, and temporary workspace in the exhibits to the Easement Agreement previously provided to you, and, to the extent permitted, provided you with an offer of compensation for a pipeline easement. The offer included compensation for the pipeline easement, access easement, temporary workspace, and construction related damages that are associated with the completion of the proposed pipeline. Attached, please find an additional copy of the compensation offer for your review and consideration. We believe the attached offer meets or exceeds the fair market value of the easement, and includes appropriate compensation for any other recoverable damages.

Dakota Access currently plans to begin construction of the pipeline this fall. While Dakota Access prefers to acquire a negotiated easement, given the proposed construction timeline, Dakota Access has now retained counsel to prepare to pursue easements through the courts.

This is Dakota Access's final offer before the matter is turned over to its attorneys. The offer will remain open for one week from the date of this letter. Please accept the offer by executing the enclosed Easement Agreement and returning it to me in the self-addressed stamped envelope. At the conclusion of the seven-day acceptance period, this offer will be withdrawn and shall terminate automatically. At that point, Dakota Access will obtain an appraisal and take the necessary steps to secure an easement across the property through the courts, which may include filing a condemnation action.

Again, Dakota Access would very much like to reach an amicable agreement with you rather than taking legal action. In that regard, we would like to meet with you to discuss the Easement Agreement and the construction process. While the primary goal of such a meeting with you is to negotiate a voluntary easement and discuss damage compensation, another important part of the meeting is to discuss any concerns you may have not previously discussed with the agents regarding the planned pipeline construction.

Dakota Access agents will be contacting you shortly, but you can also contact us at your convenience to discuss your position and concerns regarding a voluntary easement. Please contact Right of Way Supervisor Julie DiMeo at 701-290-4682 or call me directly at 832-633-1655.

Sincerely,

A handwritten signature in black ink, appearing to read "Micah Rorie". The signature is fluid and cursive, with a long horizontal stroke and a large loop at the end.

Micah Rorie
Senior Right of Way Manager

Enclosures

cc: Daniel J. Hyvl
Robert Rose
Lawrence Bender
Derrick Braaten